

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WATSON LABORATORIES, INC.
Petitioner,

v.

UNITED THERAPEUTICS, CORP.
Patent Owner.

Case IPR2017-01621 and IPR2017-01622
Patents 9,358,240 B2 and 9,339,507 B2

Before LORA M. GREEN, ERICA A. FRANKLIN, and DAVID COTTA,
Administrative Patent Judges.

COTTA, *Administrative Patent Judge.*

ORDER
Conduct of the Proceedings
37 C.F.R. § 42.5

IPR2017-01621 (Patent 9,358,240 B2)

IPR2017-01622 (Patent 9,339,507 B2)

I. ANALYSIS

On January 25, 2018, United Therapeutics Corp. (“Patent Owner”) filed a Request for Rehearing of our decisions instituting *inter partes* review of claims 1–9 of U.S. Patent No. 9,358,240 and of claims 1–9 of U.S. Patent No. 9,339,507 B2 in connection with IPR2017-01621 and IPR2017-01622. On February 19, 2018, and with Board authorization (Paper 17 in IPR2017-01621 and Paper 16 in IPR 2017-01622), Watson Laboratories, Inc. (“Petitioner”) filed a Response to Patent Owner’s Request for Rehearing. On February 22, 2018, the Board received an email in which Patent Owner requested the opportunity to file a reply. Ex. 3003. In that email, Patent Owner represented that it had conferred with counsel for Petitioner and Petitioner did not oppose its request. *Id.* In an email dated February 23, 2018 we authorized Patent Owner to file a five (5) page Reply to be filed no later than February 28, 2018. *Id.* We also stated that we would issue an order to that effect in due course. *Id.*

II. ORDER

In consideration of the foregoing and in view of our email to the parties of February 23, 2018, it is hereby ORDERED that Patent Owner is authorized to file a Reply of not more than five (5) pages to Petitioner’s Response to Patent Owner’s Request for Rehearing in IPR2017-01621 and IPR2017-01622. Patent Owner’s Reply shall be filed no later than February 28, 2018.

IPR2017-01621 (Patent 9,358,240 B2)

IPR2017-01622 (Patent 9,339,507 B2)

PETITIONER:

Michael K. Nutter
Andrew R. Sommer
WINSTON & STRAWN LLP
mnutter@winston.com
asommer@winston.com

PATENT OWNER:

Stephen B. Maebius
George Quillin
FOLEY & LARDNER LLP
smaebius@foley.com
gquillin@foley.com

Shaun R. Snader
UNITED THERAPEUTICS CORP.
ssnader@unither.com

Douglas Carsten
Richard Torczon
Robert Delafield
Veronica Ascarrunz
WILSON, SONSINI, GOODRICH & ROSATI
dcarsten@wsgr.com
rtorczon@wsgr.com
bdelafield@wsgr.com
vascarrunz@wsgr.com